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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,430	03/31/2004	Gregory M. Plow	SVL920030143US1	7637
55070 7590 12/26/2007 INTERNATIONAL BUSINESS MACHINES CORP. IP LAW 555 BAILEY AVENUE, J46/G4 SAN JOSE, CA 95141			EXAMINER AUGUSTINE, NICHOLAS	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 12/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/815,430

Applicant(s)

PLOW ET AL.

Examiner

Nicholas Augustine

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

- A. This action is in response to the following communications: Amendment filed: 09/21/2007. This action is made **Final**.
- B. Claims 1-45 remain pending.
- C. Claims rejected under 35 USC 101 has been withdrawn due to amendment.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Graham, Jamey (US 7,228,492 B1), herein referred to as "Graham".

As for Claims 1, 14 and 27, Graham teaches a method and corresponding article and apparatus of displaying information, comprising: presenting a first subset of information in a scrollable area (figure 5, 502), the first subset of information comprising, at least in part, a second subset of information (530b and 506), the second subset of information being designated as a materialization entity (506); and in response to the first subset of information in the scrollable area being scrolled and at least a portion of the

materialization entity scrolled out of the scrollable area, displaying the materialization entity, at least in part, in a materialization area (col. 6, lines 33-67 and col.7, lines 1-23; wherein a user is displayed with digital content which is scrollable, the content is dynamically materialized into pieces as the user views the information; hence when the user scrolls through the documents the system dynamically materializes information based on user preferences and displays it in an adjacent window/frame/pane).

As for Claims 2, 15 and 28, Graham teaches the method and corresponding article and apparatus further comprising: associating a materialization attribute with the materialization entity to designate the second subset of information as the materialization entity (col.6, lines 40-44).

As for Claims 3,16 and 29, Graham teaches the method and corresponding article and apparatus wherein the scrollable area is in a window and the materialization area is also in that same window (figure 4).

As for Claims 4, 17 and 30, Graham teaches the method and corresponding article and apparatus wherein the scrollable area is in a first window, and wherein the materialization area is in a second window, different from the first window, to provide a materialization window (figure 5).

As for Claims 5, 18 and 31, Graham teaches the method and corresponding article and apparatus wherein the materialization window is adjacent to the first window (figure 5).

As for Claims 6, 21 and 32, Graham teaches the method and corresponding article and apparatus further comprising: in response to the at least a portion of the materialization entity scrolled out of the scrollable area, displaying the materialization area (figure 5).

As for Claims 7, 22 and 33, Graham teaches the method and corresponding article and apparatus further comprising: displaying the materialization area in response to a user activation (figure 6a).

As for Claims 8, 19 and 34, Graham teaches the method and corresponding article and apparatus further comprising: in response to the materialization entity being scrolled back into the scrollable area, deleting the materialization area containing the materialization entity (figure 6a-b; col.6, lines 53-59).

As for Claims 9, 23 and 35, Graham teaches the method and corresponding article and apparatus wherein a third subset of the information of the first subset of information is designated

as an additional materialization entity; and in response to at least a portion of the additional materialization entity being scrolled out of the scrollable area, displaying a third window comprising the additional materialization entity, at least in part, in the a materialization area of the third window, wherein the third window is separate from the first window and the second window (figure 5 ; bottom adjacent window).

As for Claims 10, 20 and 36, Graham teaches the method and corresponding article and apparatus further comprising: in response to the materialization entity being scrolled back into the scrollable area, deleting the materialization entity from the materialization area (figure 7, col.8, lines 19-26).

As for Claims 11, 24 and 37, Graham teaches the method and corresponding article and apparatus further comprising: in response to a user signal with respect to the materialization entity in the materialization area, scrolling the first subset of information such that the materialization entity is displayed in the scrollable area (figure 5).

As for Claims 12, 25 and 38, Graham teaches the method and corresponding article and apparatus wherein the materialization entity is associated with a materialization entity designation of temporary, further comprising: in response to a user signal to not view

the first subset of disassociating the materialization attribute from the materialization entity (figure 7).

As for Claims 13, 26 and 39, Graham teaches the method and corresponding article and apparatus wherein the materialization entity is associated with a materialization entity designation of permanent, further comprising when the materialization entity designation is permanent, storing the materialization entity designation in persistent storage (col.6, lines 53-59).

As for Claims 40, 42 and 44, Gram teaches the method of Claim 1 and corresponding article and apparatus of claims 14 and 27 wherein the materialization entity comprises the second subset of information, wherein said displaying of the materialization entity displays at least a portion of the second subset of information in the materialization area (col.8, lines 50-64).

As for Claims 41, 43 and 45, Gram teaches the method of Claim 1 and corresponding article and apparatus of claims 14 and 27 further comprising: receiving a selection of the second subset of information on a graphical user interface; and in response to an activation of a create materialization entity control of the graphical user interface,

designating the second subset of information as the materialization entity (figure 5-7; col.7, lines 35-45, 54-63).

(Note :) It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments with respect to claims 1-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas Augustine
Examiner

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N. Augustine
December 8, 2007

AU: 2179

BA HUYNH
PRIMARY EXAMINER